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CONFISCATION OF IMMOVABLE PROPERTY DECREE

(No. 8 of 1964):

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I ASSENT,

ABOUD JUMBE,
Chairman for the
Revolutionary Council

REVOLUTIONARY COUNCIL DECREE NO. 1 OF 1973

**A DECREE TO SAFEGUARD NATIONAL CULTURE AND
PROTECT IT FROM SUCH UNDESIRABLE FASHIONS IN DRESS,
HAIR STYLES, ETC. AS ARE NOT CONDUCTIVE TO NATIONAL
CULTURE AND TO PROVIDE FOR MATTERS
ANCILLARY THERETO**

IN EXERCISE of the powers conferred by the Legislative Powers Law, 1964, the President for Zanzibar by and with the advice and consent of the Revolutionary Council hereby makes the following Decree:—

1. This Decree may be cited as the National Culture (Protection) Decree, 1973 and shall come into force at 6 a.m. on the 1st day of May, 1973.

Short title
and commence-
ment.

2.—(1) In this section—

Undesirable
dress.

“leg-line” shall mean an imaginary line drawn horizontally around the leg each point of which is exactly mid-way between lowermost part of the knee-cap and the uppermost part of the ankle;

“public place” shall include any public way and building place or conveyance to which for the time being the public are entitled or permitted to have access either without any condition or upon condition of making any payment and any building or place which is for the time being used for any public meeting or assembly or as an open court or any place which is so situated that what passes there can be seen by members of the public if they happen to look;

Provided that a baraza of any house shall not be deemed to be a public place if used by the occupant or his spouse or other members of the family between the hours of 8 p.m. and sunrise.

“undesirable dress” shall mean—

A. In the case of a female shall mean—

- (a) any dress or article of clothing which when worn standing, sitting or lying down leaves any portion above the leg-line exposed;
- (b) any dress article of clothing the neck line of which is more than one inch below the base of the neck;
- (c) any dress or article of clothing which is worn in such a tight fit so as to define the contours of every part of the female anatomy;
- (d) any dress or article of clothing made of a diaphanous or other material penetrable to sight which when worn leaves any part of the body from one inch below the base of the neck to the leg-line exposed;
- (e) any wig or artificial hair.

B. In the case of a male shall mean—

- (a) any pair of shorts which leave any portion of the leg more than one inch above the uppermost part of the knee-cap exposed or which are so wide as to enable the loins to be exposed;
- (b) any pair of trousers which is tight fitting or any pair of trousers or slacks which is bell bottomed or flared;
- (c) any article of clothing which is made of a diaphanous or other material penetrable to sight which when worn leaves any part of the body from one inch below the base of the neck to more than one inch above the uppermost part of the knee cap exposed;
- (d) any wig or artificial hair.

(2) It shall be an offence for any person who has attained the age of 10 years to wear in a public place any undesirable dress:

Provided that the following shall be excluded from the definition of “undesirable dress”:

- (a) any swimming attire worn while preparing for a swim or swimming or sun-bathing;
- (b) any sport and athletic wear worn while participating in sports and athletics or preparing for participation in sports and athletics or any dress worn by a sports or athletics coach while coaching;
- (c) any costume worn in any concert, ballet, opera or any dramatic performance;
- (d) any working clothes or apparel worn by dock-workers, hamali-carters, cultivators and other manual workers the nature of whose work necessitates the use of special clothes;
- (e) any attire, dress or clothes worn by a person in accordance with whose culture and custom such attire, dress or clothes is an accepted form of wearing apparel.

And Pro-
mentioned
at the place

3. Any f-
object of ri-
this Decree.

4. Any n-
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5. Any pe-
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6. A perso-
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(a) he n

(b) he n

(c) he m

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(ii) For the s-
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(iii) For the t-
one year

(iv) For the fo-
two years

(v) For the fif-
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7.—(1) A perso-
this Decree may t-
table witnesses w-
person arrested sh-
accompanied by th-
against the suspec-
Court is sitting, th-
will be brought bef-
offence. If the arres-
ses will leave their
shall be detained. T-
than 48 hours sinc-
its sitting whicheve-
officer in charge of

And Provided further that in the case of the attire, dress or clothes mentioned in paragraphs (a), (b), (c) and (d) the wearing apparel is worn at the place of the activity concerned.

3. Any female who uses excessive make-up to a point of being an object of ridicule shall be guilty of an offence under the provisions of this Decree. Excessive make-up.

4. Any male who wears his hair long so that it resembles the hair style of a woman shall be guilty of an offence except that when such hair is worn in observance of recognised religious rite to which the wearer of the hair may belong. Long hair.

5. Any person who otherwise has appropriate dress or clothes but who by either lifting or lowering the dress or clothes or in any other way deliberately exposes any part of the body which is not permitted to be exposed by the provisions of this Decree, shall be guilty of an offence. Deliberate exposure.

6. A person found guilty of an offence under this Decree shall be liable on conviction to the following sentences:— Offences.

(i) For the first offence—

(a) he may be warned; or

(b) he may be ordered to have his hair shaved off; or

(c) he may be liable to corporal punishment of four heavy strokes or four light strokes or two heavy strokes and two light strokes.

(ii) For the second offence—

six months to be spent at a special rehabilitation centre.

(iii) For the third offence—

one year to be spent at a special rehabilitation centre.

(iv) For the fourth offence—

two years to be spent at a special rehabilitation centre.

(v) For the fifth offence—

he shall be isolated and required to live at a rehabilitation centre for an indefinite period.

7.—(1) A person who is suspected of contravening the provisions of this Decree may be arrested by a citizen in the presence of two respectable witnesses who agree that an offence has been committed. The person arrested shall immediately be taken to the nearest police station accompanied by the two witnesses. At the station a charge will be drawn against the suspect and if the arrest has taken place when a People's Court is sitting, the charge will be filed in the Court and the accused will be brought before the Court on the same day and prosecuted for the offence. If the arrest takes place while the Court is not sitting the witnesses will leave their address with the police station where the accused shall be detained. The accused must be brought before a Court not more than 48 hours since the time of arrest or immediately the court starts its sitting whichever is the earlier. However if, in the opinion of the officer in charge of the police station there is doubt if an offence has Powers of arrest.

been committed he will arrange for a People's Court to have an urgent sitting at the police station. If the finding of the Court is that the accused person is not guilty the citizen affecting the arrest shall be detained and charged with the offence of malicious prosecution.

(2) Any person who arrests a person for any alleged offence under the provisions of this Decree and who is subsequently found to have acted maliciously or any person who under the pretext of enforcing the provisions of this Decree molests any person shall be guilty of an offence and shall on conviction be liable to the same sentence as the Court would have passed if the arrested person were found guilty.

Wearing of covering apparel.

8. For the avoidance of doubt it is specifically provided that persons shall not be guilty of committing an offence under this Decree if they wear a buibui, khanga, shuka or other covering material over an undesirable dress if such buibui, khanga, shuka or other covering material at all times prevents exposure of any part of the body not permitted to be exposed by the provisions of this Decree.

No appeal from court judgment.

9. No appeal shall lie from the judgment of any People's Court in respect of any sentence passed for any offence under this Decree.

Made at Zanzibar this 18th day of April, 1973.

SULEIMAN A. MNOGA,
Secretary to the Revolutionary Council

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**THE CONFISCATION OF IMMOVABLE PROPERTY
DECREE, 1964**

L.N.
1 of 1973

Presidential Decree No. 8 of 1964

The Confiscation of Immovable Property (No. 1) Order, 1973
Under Section 2 (I)

1. This Order may be cited as the Confiscation of Immovable Property (No. 1) Order, 1973. Short title.
2. All that house No. 26/9 situate at Kwahani and belonging to or said to belong to Abass Nizamdden, is hereby confiscated. Confiscation
of house at
Kwahani.

By the Order of the Chairman of the Revolutionary Council.

ZANZIBAR,
20th January, 1973

ALI MUHSIN ALI,
*Chairman for Works, Communications
and Power*

55/15390

**THE CONFISCATION OF IMMOVABLE PROPERTY
DECREE, 1964**

L.N.
2 of 1973

Presidential Decree No. 8 of 1964

The Confiscation of Immovable Property (No. 2) Order, 1973
(Under Section 2(1))

1. This Order may be cited as the Confiscation of Immovable Short title.
Property (No. 2) Order, 1973.

2. All that house No. 4/15 situate at Gulioni and belonging to or said Confiscation
to belong to Mr. Hirji Jivan Kanji, is hereby confiscated. of house
at Gulioni.

By the Order of the Chairman of the Revolutionary Council.

ALI MUHSIN ALI,
*Chairman for Works, Communications
and Power*

ZANZIBAR,
13th February, 1973

**THE CONFISCATION OF IMMOVABLE PROPERTY
DECREE, 1964**

Presidential Decree No. 8 of 1964

**The Confiscation of Immovable Property (No. 3) Order, 1973
(Under Section 2 (1))**

- Short title. 1. This Order may be cited as the Confiscation of Immovable Property (No. 3) Order, 1973.
- Confiscation of houses mentioned in the Schedule. 2. All those houses bearing assessment numbers mentioned in the First Column of the Schedule hereto and belonging to or said to belong to the persons mentioned in the Second Column and situate at the places mentioned in the Third Column, are hereby confiscated.

SCHEDULE

<i>First Column</i>	<i>Second Column</i>	<i>Third Column</i>
2416 ..	Bwana Abass Mohamed	
2443 ..	Karmali	.. Kajificheni
969 ..	Bwana Mohamed Remtulla Marali	.. Malindi
1786A ..	Bwana Sharif Danji & Sons	.. Mkunazini
2640 ..	Bwana Mohamed Abdulla Baafiouf	.. Mbuyuni
114 ..	B'bi Asha Said Jabadhria Deraj	.. Shangani
1608/9A ..	Bibi Nurbhai Esmail Sabjaly Deraj	.. M'Wima
691 ..	Bwana Mohamedali Sivjee Deraj	.. Malindi.

By the Order of the Chairman of the Revolutionary Council.

ZANZIBAR,
13th February, 1973

ALI MUHSIN ALI,
*Chairman for Works, Communications
and Power*

THE CONFISCATION OF IMMOVABLE PROPERTY
DECREE, 1964

L.N.
4 of 1973

Presidential Decree No. 8 of 1964

The Confiscation of Immovable Property (No. 4) Order, 1973
(Under Section 2 (1))

1. This Order may be cited as the Confiscation of Immovable Property (No. 4) Order, 1973.

2. All those houses bearing assessment numbers mentioned in the First Column of the Schedule hereto and belonging to or said to belong to the persons mentioned in the Second Column and situate at the places mentioned in the Third Column, are hereby confiscated.

Confiscation
of houses
mentioned
in the
schedule.

First Column	Second Column	Third Column
19/196	Mrs. Grace Ruth	Kikwajuni
2210	Bwana Hirji Kala Lakha	Vuga.

By the Order of the Chairman of the Revolutionary Council.

ZANZIBAR,
15th February, 1973

ALI MUHSIN ALI
Chairman for Works, Communications
and Power

OF IMMOVABLE PROPERTY

DECREE, 1964

Decree No. 8 of 1964

Immovable Property (No. 3) Order, 1973

Under Section 2 (1)

As the Confiscation of Immovable

assessment numbers mentioned in the First and belonging to or said to belong to the Second Column and situate at the places are hereby confiscated.

Third Column

med	..	Kajificheni
emtulla	..	Malindi
& Sons	..	Mkunazini
odulla	..	Mbuyuni
dhria	..	Shangani
Sabjaly	..	M'Wima
Sivjee	..	Malindi.

Revolutionary Council.

ALI MUHSIN ALI,
Chairman for Works, Communications
and Power

**THE CONFISCATION OF IMMOVABLE PROPERTY
DECREE, 1964**

L.N.
6 of 1973

Presidential Decree No. 8 of 1964

The Confiscation of Immovable Property (No. 6) Order, 1973
(Under Section 2 (1))

1. This Order may be cited as the Confiscation of Immovable Short title.
Property (No. 6) Order, 1973.

2. All that house No. 3000 situate at Saateni and belonging to or said, Confiscation
to belong to Hamed Saleh Hamed El-Busaïdy, is hereby confiscated. of house
at Saateni.

By the Order of the Chairman of the Revolutionary Council.

ZANZIBAR,
25th March, 1973

ALI MUHSIN ALI,
*Chairman for Works, Communications
and Power*

**THE CONFISCATION OF IMMOVABLE PROPERTY
DECREE, 1964**

L.N.
7 of 1973

Presidential Decree No. 8 of 1964

The Confiscation of Immovable Property (No. 7) Order, 1973
(Under Section 2 (1))

1. This Order may be cited as the Confiscation of Immovable Property (No. 7) Order, 1973. Short title.
2. All that house No. 33/169 situate at Mtakuja and belonging to or said to belong to Salim Seif Salim, is hereby confiscated. Confiscation of house at Mtakuja.

By the Order of the Chairman of the Revolutionary Council.

ZANZIBAR,
17th April, 1973

ALI MUHSIN ALI
*Chairman for Works, Communications
and Power*

**THE CONFISCATION OF IMMOVABLE PROPERTY
DECREE, 1964**

L.N.
8 of 1973

Presidential Decree No. 8 of 1964

The Confiscation of Immovable Property (No. 8) Order, 1973
(Under Section 2 (1))

1. This Order may be cited as the Confiscation of Immovable Property (No. 8) Order, 1973. Short title.
2. All that house No. 39/5079 situate at Malindi and belonging to or said to belong to Lamu Fisheries & Company, is hereby confiscated. Confiscation of house at Malindi.

By the Order of the Chairman of the Revolutionary Council.

ZANZIBAR,
19th April, 1973

PILI KHAMIS,
*Chairman for Information, Tourism
and Natural Resources*

**THE CONFISCATION OF IMMOVABLE PROPERTY
DECREE, 1964**

L.N.
9 of 1973

Presidential Decree No. 8 of 1964

**The Confiscation of Immovable Property (No. 9) Order, 1973
(Under Section 2 (I))**

1. This Order may be cited as the Confiscation of Immovable Property (No. 9) Order, 1973. Short title.

2. All that house No. 3435 situate at Saateni and belonging to or said to belong to Moh'd Abdo, is hereby confiscated. Confiscation of house at Saateni.

By the Order of the Chairman of the Revolutionary Council.

ZANZIBAR,
12th July, 1973

ALI MUHSIN ALI,
*Chairman for Works, Communications
and Power*

**THE CONFISCATION OF IMMOVABLE PROPERTY
DECREE, 1964**

L.N.
10 of 1973

Presidential Decree No. 8 of 1964

**The Confiscation of Immovable Property (No. 10) Order, 1973
(Under Section 2 (I))**

1. This Order may be cited as the Confiscation of Immovable Property (No. 10) Order, 1973. Short title.

2. All that house No. 9/20 situate at Mtendeni and belonging to or said to belong to Ahmed Said (Shilling), is hereby confiscated. Confiscation of house at Mtendeni.

By the Order of the Chairman of the Revolutionary Council.

ZANZIBAR,
12th July, 1973

ALI MUHSIN ALI,
*Chairman for Works, Communications
and Power*

*Legal Supplement (Part II) to the Tanzania—Zanzibar Gazette,
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**THE CONFISCATION OF IMMOVABLE PROPERTY
DECREE, 1964**

L.N.
12 of 1973

(Presidential Decree No. 8 of 1964)

**The Confiscation of Immovable Property (Revocation)
(No. 1) Order, 1973**

1. This Order may be cited as the Confiscation of Immovable Property (Revocation) (No. 1) Order, 1973. Short title.

2. The Order in respect of Houses No. 534 and 539A situate at Baghani and said to belong to Heirs of Masoud Ali Riyami and which were confiscated by the Confiscation of Immovable Property (No. 10) Order, 1971, is hereby revoked. Revocation.

By the Order of the Chairman of the Revolutionary Council.

ZANZIBAR,
8th November, 1973

ALI MUHSIN ALI,
*Chairman for Work, Communications
and Power*

